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PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	1023-732US02
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Interview Summary	10/782,087

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Stephen T. Foley Confirmation No. 4761
Serial No.: 10/782,087
Filed: February 19, 2004 Customer No.: 28863
Examiner: Rex R. Holmes
Group Art Unit: 3762
Docket No.: 1023-732US02

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Title: METHOD AND APPARATUS FOR INTENTIONAL IMPAIRMENT OF
GASTRIC MOTILITY AND/OR EFFICIENCY BY TRIGGERED
ELECTRICAL STIMULATION OF THE GASTROINTESTINAL TRACT
WITH RESPECT TO THE INTRINSIC ELECTRICAL ACTIVITY

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted
via facsimile to the United States Patent and Trademark Office on October 14, 2008.

By:

Name: Shirley A. Bellach

INTERVIEW SUMMARY

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In a telephonic interview initiated by Applicant on September 18, 2008, Applicant's representative, Steven Shumaker, Examiner Rex Holmes, and Examiner George Evanisko discussed the Final Office Action mailed on July 17, 2008. The parties generally discussed the Bourgeois reference cited in the Final Office Action in view of the pending claims.

During the telephonic interview, Examiners Holmes and Evanisko agreed with Applicant's representative that the Bourgeois reference does not describe delivering electrical stimulation when normal gastric activity is detected, wherein the electrical stimulation is configured to disrupt normal gastric activity. In particular, they agreed that the "Y" and "N" in the first block of FIG. 7 of Bourgeois are erroneously swapped, and that one of ordinary skill in the art would appreciate that error upon reviewing the specification.

Examiners Holmes and Evanisko indicated that independent claims 35 and 36 appear to be allowable, pending further analysis of the Bourgeois reference, and suggested amendment of

independent claim 1 to more affirmatively recite a delivery of electrical stimulation when normal gastric activity is detected, wherein the stimulation is configured to disrupt normal gastric activity. Examiners Holmes and Evanisko requested that Applicant's file an amendment to this effect, including claim amendments to claim 1 and remarks consistent with the interview.

No exhibits were introduced during the interview. No agreement was reached.

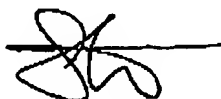
Applicant thanks Examiner Holmes for discussing the present application with Applicant's representatives on September 17, 2008.

Date:

10-14-08

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